



ARIA STUDIO CONSULTANTS, INC.

100 GOLD AVE SW, SUITE 205, ALBUQUERQUE, NEW MEXICO 87102

PRINCIPAL ARCHITECT | DANIEL PUZAK, AIA | (505) 506-2314 | DANIEL@ARIASCINC.COM

August 16, 2023

Marwa Al-najjar Associate Engineer, Planning Dept. Development Review Services
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Re: NM Sol/ Phase 1 Tenant Addition
7402 Los Volcanes Rd. NW
Traffic Circulation Layout
Architect's Stamp 03-28-23 (J10-D027)

Marwa Al-najjar,

The following are our responses to your 2nd round of comments on the above TCL.

1. Site accesses must be updated to current ADA standards and have truncated domes installed.
 - a. Note added to AS101
2. Due to proposing property line, Please clarify, do you have an approved plat? If so, please provide an approved plat showing shared accesses and parking agreement.
 - a. We are waiting on plat approval and will upload the document when we receive it. Attached is the parking agreement (although we have enough spaces).
3. The existing ADA parking spaces at the west side of the existing warehouse must be updated to current ADA standard.
 - a. Note was added to AS101

Warm regards,

Debra West



DRIVEWAY EASEMENT AND SHARED PARKING AGREEMENT

WHEREAS, GDCLV, LLC, a New Mexico limited liability company, hereafter, "Grantor" is the owner of the following Tract to be made up of three lots shown on the Plat attached hereto and incorporated herein, located in the City of Albuquerque, Bernalillo County, New Mexico:

The legal description of the original tract is as follows:

Lot 2 Land Division Tracts A, D, M, N, S-1 & S-2 of the Plat of unit No. 2 Atrisco Business Park Cont. 11.0600 AC

The tract shall be divided as shown as the following and demonstrated in the Plat attached hereto and incorporated herein;

Plat for Lots-A, 2-B, and 2-C, Tract S-1 Atrisco Business Park, Unit 2. Being comprised of Lot 2, Tract S-1 Atrisco Business Park, Unit 2

WHEREAS, there exists on said described future tracts certain driveway and parking lot more particularly described and shown on the surveys attached hereto as Exhibits A, and

WHEREAS, Grantor desires to impress upon the said properties certain covenants, rights-of-way and restrictions regarding the use, access and maintenance which shall inure to the benefit of and be binding upon the successors and assigns of Grantor.

THEREFORE, the undersigned GDCLV, LLC does hereby impress upon the above described future Plat the following covenants, rights-of-way and restrictions, which shall hereafter be covenants which run with the land and shall inure to the benefit of and be binding upon the grantees, successors and assigns of each of said separate tracts:

1. The driveway and parking lot shown on exhibits A shall be a perpetual easement in favor of the successors in title of Grantor for parking of vehicular traffic and for ingress and egress to and from the said properties. Accordingly, Lot 2-A shall be burdened by said easement in favor of the Grantor's successors in title to Lots 2-B, Lot 2-A shall be burdened by said easement in favor of the Grantor's successors in title to Lot 2-C and likewise Lot 2-B shall be burdened by said easement in favor of the Grantor's successors in title to Lot 2-A. Lot 2-B shall be burdened by said easement in favor of the Grantor's successors in title to Lot 2-C, and likewise Lot 2-C shall be burdened by said easement in favor of the Grantor's successors in

title to Lot 2-A. Lot 2-C shall be burdened by said easement in favor of the Grantor's successors in title to Lot 2-B,

2 The successors in title to each tract shall not obstruct or restrict the use of any portion of the said parking lot and driveway and no buildings or improvements may be erected upon said easement.

3. The easement shall be maintained in a serviceable, neat and acceptable manner and in a manner so that the overall appearance of said driveway and parking lot shall be uniform. Each of Grantor's successors in title to Tracts A and B shall be charged with the repair and maintenance thereof and shall cooperate with each other in the performance of routine and necessary repairs, overlay and sealing of the said driveway and parking lot. The successor in title to either tract may perform such repairs and maintenance as may be necessary without the consent of the other upon giving written notice of intent to perform such repairs and the estimated cost thereof. Notice may be delivered by U.S. Mail, certified, return receipt requested or other personal service not less than thirty (30) days prior to beginning such repairs or maintenance. The party that performs said repairs/maintenance shall be entitled to a lien upon the property of the dissenting party equal to one-half of the actual cost of said repairs/maintenance plus fifteen per cent (15%). Said lienholder shall have the same remedies as holders of materialmen in accordance with the Materialmen Lien laws of the State of New Mexico.

4. In the event it becomes necessary to enforce the terms of this easement through court proceedings the prevailing party shall be entitled to reasonable attorneys fees.

Witness the due execution hereof on this the 5th day of (~~---~~ May), 2023.

By: 
Managing Member
GDCLV, LLC.

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

Personally, appeared before me, the Managing Member of GDCLV, LLC appearing with Authority of GDCLV, LLC, in the said County and State on this

5 day of May, 2023, the within named (managing Member), Grantor, who acknowledged that he executed, signed and delivered the above and foregoing instrument.

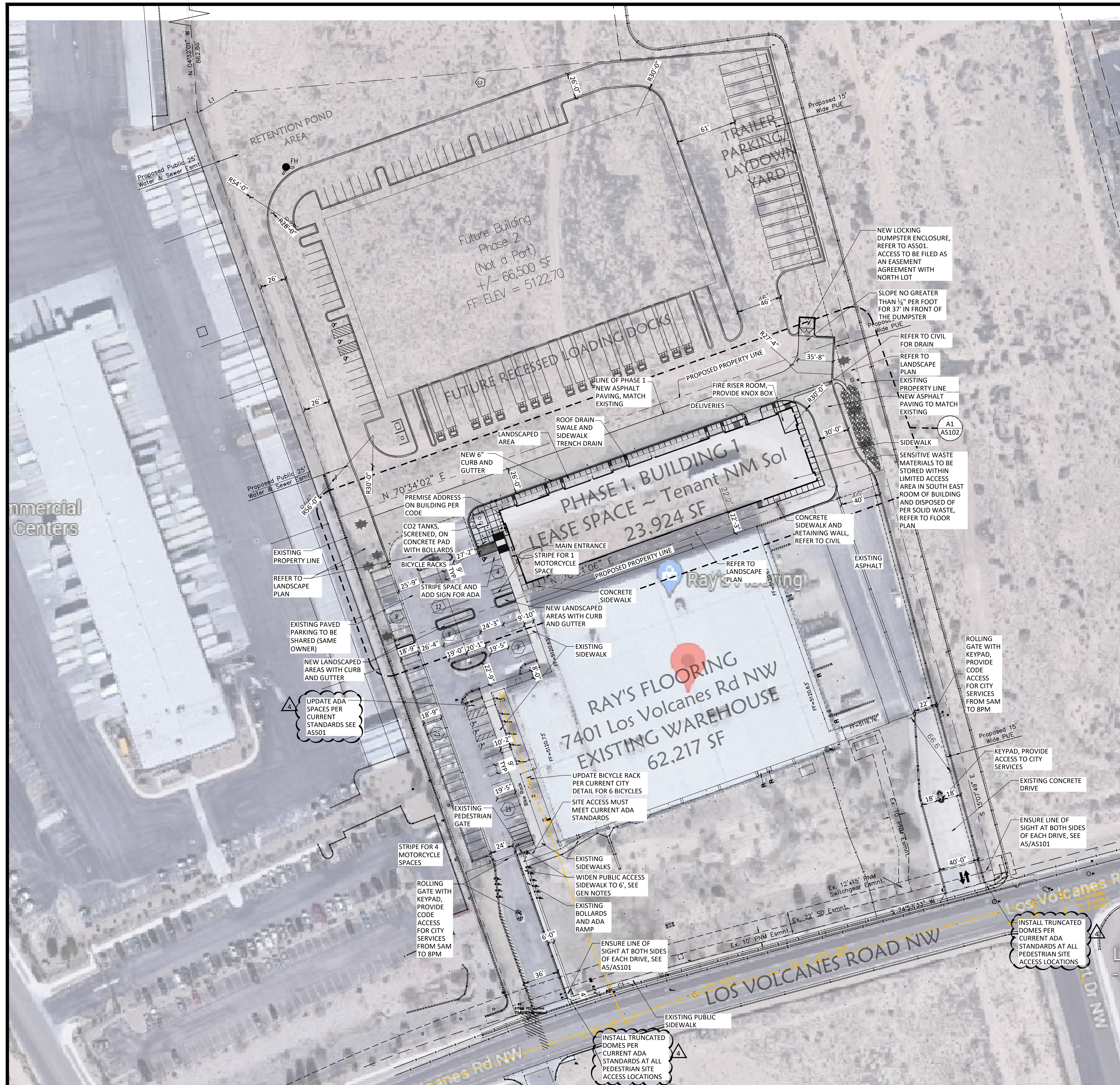


Notary Public

My commission expires:

August 30, 2025

**State of New Mexico
Notary Public
Sally Rizzieri
Commission Number 1102855
Commission Expires August 30, 2025**



A1 Architectural Site Plan ~ Overall / Traffic Circulation Layout
1" = 50'-0"

PROJECT DESCRIPTION

Construction of a new tilt-up concrete fully sprinkled cannabis agricultural warehouse to be used for cannabis cultivation.

GENERAL NOTES

- A. REFER TO AS102 FOR MORE DIMENSIONS
- B. REFER TO AS501 and AS502 FOR SITE DETAILS
- C. GUARDRAIL IS REQUIRED AT ANY PEDESTRIAN WALK AREA WHERE ADJACENT CHANGE IN ELEVATION IS 30" OR MORE. REFER TO AS501 FOR DETAIL, CIVIL GRADING PLAN FOR ELEVATIONS.
- D. CONTRACTOR TO VERIFY ALL RAMPS, WALKS, AND RAILS MEET CODE AND ADA GUIDELINES
- E. REFER TO CITY OF ALBUQUERQUE STANDARD DRAWINGS 2415A AND 2415B FOR CURB AND GUTTER DETAILS
- F. REFER TO CITY OF ALBUQUERQUE STANDARD DRAWING 2425B FOR DRIVEPAD WITH RAMP
- G. REFER TO CITY OF ALBUQUERQUE STANDARD DRAWING 2430 FOR SIDEWALK DETAILS
- H. ALL BROKEN OR CRACKED SIDEWALK MUST BE REPLACED WITH SIDEWALK AND CURB & GUTTER.

Notes and Parking

Code Referenced
City of Albuquerque IDO (effective 2022-12-25)
Non-Residential Business Park (NR-BP)

Address and Legal Description
7401 Los Volcanes Rd NW, Albuquerque, NM 87121
UPC 101005818513130104
Lot 2-B, Tract S-1, Atrisco Business Park, Unit 2, City of Albuquerque, Bernalillo County, New Mexico
1.6675 Acres

Type of Development & Occupancy

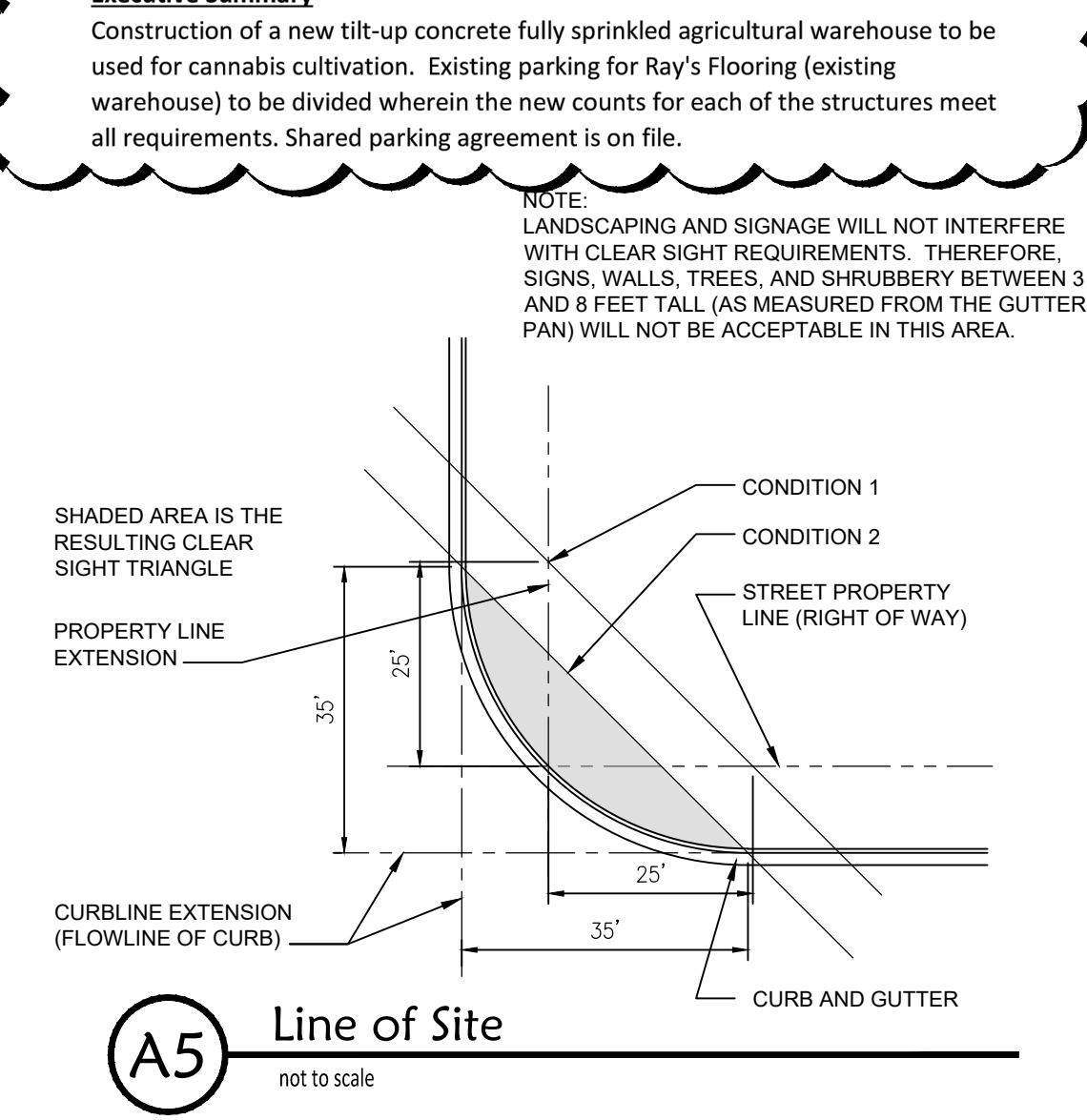
Ray's Flooring (existing building)	
Warehousing	48,716 sf
Business	13,501 sf
total	62,217 sf
NM Sol (new building)	
Cannabis Cultivation & Product	23,924 sf
Production Facility	

Parking Required (Table 5-5-1)

Warehousing	no requirement	
Business	3.5 spaces per 1000 GFA	47.25
Cannabis Cultivation	1 space per 1000 GFA	23.92
Total spaces required		71
Motorcycle		1.00
Bicycle		3.00
Total spaces provided	84 spaces	
NM Sol		24
ADA		1
Motorcycle		2
Bicycle		3
Ray's Flooring		55
ADA		3
Motorcycle		4
Bicycle		6

Executive Summary
Construction of a new tilt-up concrete fully sprinkled agricultural warehouse to be used for cannabis cultivation. Existing parking for Ray's Flooring (existing warehouse) to be divided wherein the new counts for each of the structures meet all requirements. Shared parking agreement is on file.

NOTE: LANDSCAPING AND SIGNAGE WILL NOT INTERFERE WITH CLEAR SIGHT REQUIREMENTS. THEREFORE, SIGNS, WALLS, TREES, AND SHRUBBERY BETWEEN 3 AND 8 FEET TALL (AS MEASURED FROM THE GUTTER PAN) WILL NOT BE ACCEPTABLE IN THIS AREA.



A5 Line of Site
not to scale

STUDIO CONSULTANTS, INC
100 Gold Ave. SW, Suite 205,
Albuquerque, NM 87102
Daniel@ariasinc.com (505) 506-2314

NM SOL
Phase 1 Tenant Addition
for Ray's Flooring
Los Volcanes Road NW
Albuquerque, NM 87121

Architect/Engineer Seal

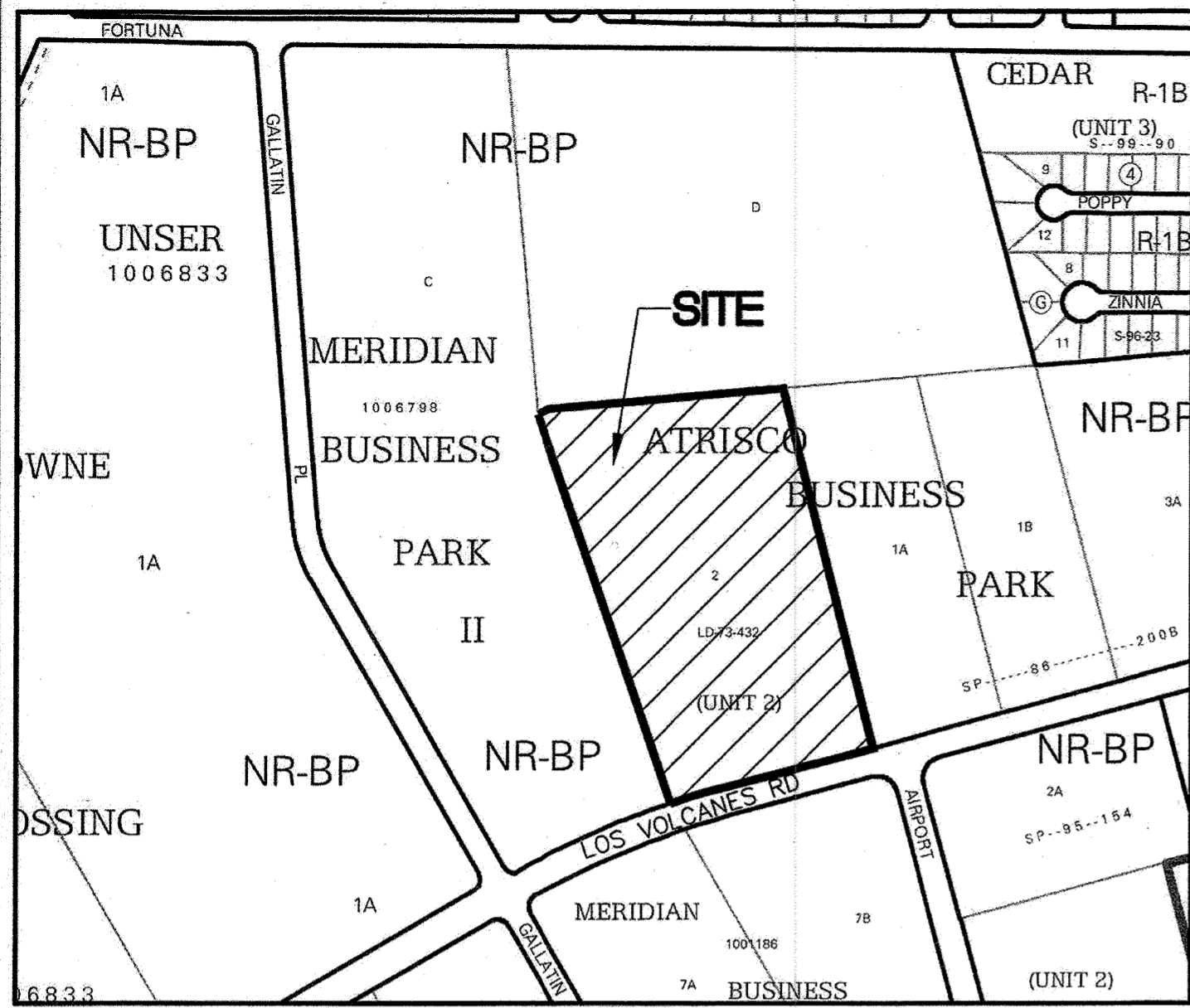
mark	date	description
▲	08/07/2023	TCL COMMENTS
▲	05/20/2023	OWNER CHANGES
▲	05/12/2023	COA PERMIT COMMENTS
▲	04/26/2023	TCL COMMENTS

revisions

issue	Permit CDs
project no	2219
drawn by	DGP
checked by	DGP
date	AUGUST 10, 2023

ARCHITECTURAL SITE PLAN
Overall
Traffic Circulation Layout

AS101 **TCL**



Vicinity Map - Zone Atlas J-10-Z

Indexing Information

Section 15, Township 10 North, Range 2 East, N.M.P.M. as Projected into the Town Atrisco Grant
 Subdivision: Atrisco Business Park, Unit 2
 Owner: GDCLV LLC
 UPC #: 101005818513130104

Treasurer's Certificate

THIS IS TO CERTIFY THAT THE TAXES ARE CURRENT AND PAID ON UPC #: 101005818513130104

PROPERTY OWNER OF RECORD
Atrisco Business Park

BERNALILLO COUNTY TREASURER'S OFFICE

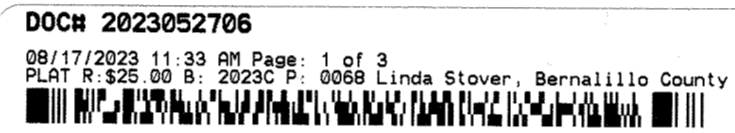
Jeanne Valgando

Purpose of Plat

1. SUBDIVIDE AS SHOWN HEREON.
2. GRANT EASEMENTS AS SHOWN HEREON.
3. DEDICATE ADDITIONAL RIGHT-OF-WAY AS SHOWN HEREON.

Subdivision Data

GROSS ACREAGE..... 11.1793 ACRES
 ZONE ATLAS PAGE NO..... J-10-Z
 NUMBER OF EXISTING LOTS..... 1
 NUMBER OF LOTS CREATED..... 3
 MILES OF FULL-WIDTH STREETS..... 0.0000 MILES
 MILES OF HALF-WIDTH STREETS..... 0.0000 MILES
 RIGHT-OF-WAY DEDICATION TO THE CITY OF ALBUQUERQUE..... 0.0801 ACRES
 DATE OF SURVEY..... AUGUST 2022



Notes

1. FIELD SURVEY PERFORMED IN OCTOBER 2018 AND AUGUST 2022.
2. ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
3. THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83-CENTRAL ZONE).

Flood Notes

BASED UPON SCALING, THIS PROPERTY LIES WITHIN FLOOD ZONE "X" WHICH IS DEFINED AS AN AREA OF MINIMAL FLOOD HAZARD AS DETERMINED BY F.E.M.A. AND SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 35001C0328J, DATED NOVEMBER 4, 2016.

Solar Collection Note

NO PROPERTY WITHIN THE AREA OF REQUESTED FINAL ACTION SHALL AT ANY TIME BE SUBJECT TO A DEED RESTRICTION, COVENANT, OR BUILDING AGREEMENT PROHIBITING SOLAR COLLECTORS FROM BEING INSTALLED ON BUILDINGS OR ERECTED ON THE LOTS OR PARCELS WITHIN THE AREA OF PROPOSED PLAT, THE FOREGOING REQUIREMENT SHALL BE A CONDITION TO APPROVAL OF THIS PLAT.

Plat for
Lots 2-A, 2-B, and 2-C, Tract S-1
Atrisco Business Park, Unit 2
 Being Comprised of
Lot 2, Tract S-1,
Atrisco Business Park, Unit 2
 City of Albuquerque
 Bernalillo County, New Mexico
 March 2022

Project Number: PR-2022-007645

Application Number: SD-2023-00053

Plat Approvals:

<i>[Signature]</i>	Apr 11, 2023
PNM Electric Services <i>Abdul A. Shaujan</i>	Apr 10, 2023
Qwest Corp. d/b/a CenturyLink QC <i>Pamela C. Stone</i>	4/21/2023
New Mexico Gas Company <i>[Signature]</i>	Apr 11, 2023
Comcast	

City Approvals:

<i>Loran N. Rianchoover P.S.</i>	4/10/2023
City Surveyor <i>Ernest Armijo</i>	Aug 8, 2023
Traffic Engineer <i>[Signature]</i>	Aug 11, 2023
ABCWUA <i>Whitney Phelan</i>	Aug 8, 2023
Parks and Recreation Department <i>[Signature]</i>	Aug 8, 2023
Code Enforcement <i>[Signature]</i>	4/17/2023
AMAFCA <i>Shahab Biazar</i>	Aug 15, 2023
City Engineer <i>Jay Rodenbeck</i>	Aug 8, 2023
Planning Department <i>Hequn Chen</i>	Aug 9, 2023
Hydrology	

Surveyor's Certificate

I, BRIAN J. MARTINEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS PLAT AND DESCRIPTION WERE PREPARED BY ME OR UNDER MY SUPERVISION, SHOWS ALL EASEMENTS AS SHOWN ON THE PLAT OF RECORD OR MADE KNOWN TO ME BY THE OWNERS AND/OR PROPRIETORS OF THE SUBDIVISION SHOWN HEREON, THE UTILITY COMPANIES OR OTHER INTERESTED PARTIES AND MEETS THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS FOR THE CITY OF ALBUQUERQUE AND FURTHER MEETS THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF NEW MEXICO AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Brian J. Martinez 4/21/23
 Brian J. Martinez Date
 N.M.R.P.S. No. 18374



CSI-CARTESIAN SURVEYS INC.

P.O. BOX 44414 RIO RANCHO, N.M. 87174
 Phone (505) 896-3050 Fax (505) 891-0244
 cartesianbrian@gmail.com

Documents

1. OWNERS POLICY PROVIDED BY FIRST AMERICAN TITLE, HAVING FILE NO. 0-2010903 AND DATED MAY 28, 2015.
2. PLAT OF RECORD FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON SEPTEMBER 12, 1973, IN BOOK D5, PAGE 181.
3. SPECIAL WARRANTY DEED FOR SUBJECT PROPERTY FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON MAY 28, 2015, AS DOC. NO. 2015044598.

Legal Description

LOT NUMBERED TWO (2) IN TRACT "S-1" OF UNIT NO. 2, ATRISCO BUSINESS PARK, ALBUQUERQUE, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE LAND DIVISION OF TRACTS A, D, M, N, S-1 AND S-2 OF SAID SUBDIVISION, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON SEPTEMBER 12, 1973, IN PLAT BOOK D5, FOLIO 181.

Easement Notes

- 1 EXISTING 22' STORM DRAINAGE EASEMENT (6/30/1995, BK. 95-15, PG. 6364-6367, DOC. NO. 95064733)
- 2 EXISTING 10' PNM EASEMENT (1/15/1998, BK. 98-2, PG. 1559-1561, DOC. NO. 98004795)
- 3 EXISTING 12' X 15' PNM SWITCHGEAR EASEMENT (1/15/1998, BK. 98-2, PG. 1559-1561, DOC. NO. 98004795)
- 4 EXISTING DRAINAGE AGREEMENT (BLANKET IN NATURE) (9/14/1992, BCR 92-21, PG. 6019-6031, DOC. NO. 1992091790) (9/14/1992, BCR 92-21, PG. 6032-6044, DOC. NO. 1992091791) AND (9/14/1992, BCR 92-21, PG. 6045-6057, DOC. NO. 1992091792)
- 5 PRIVATE, BLANKET CROSS-LOT ACCESS, PARKING, AND DRAINAGE EASEMENT, EXCLUDING EXISTING AND FUTURE BUILDING ENVELOPES, BENEFITING AND MAINTAINED BY LOTS 2-A THRU 2-C, GRANTED WITH THE FILING OF THIS PLAT. PARKING AGREEMENT (08/16/2023, DOC. NO. 2023052356)
- 6 25' PUBLIC WATERLINE AND PUBLIC SANITARY SEWER EASEMENT GRANTED WITH THE FILING OF THIS PLAT
- 7 15' PUBLIC UTILITY EASEMENT GRANTED WITH THE FILING OF THIS PLAT
- 8 PRIVATE POND AND DRAINAGE EASEMENT BENEFITING AND MAINTAINED BY LOTS 2-A, 2-B, AND 2-C, GRANTED WITH THE FILING OF THIS PLAT, SHOWN HEREON AS [Pattern]

Legend

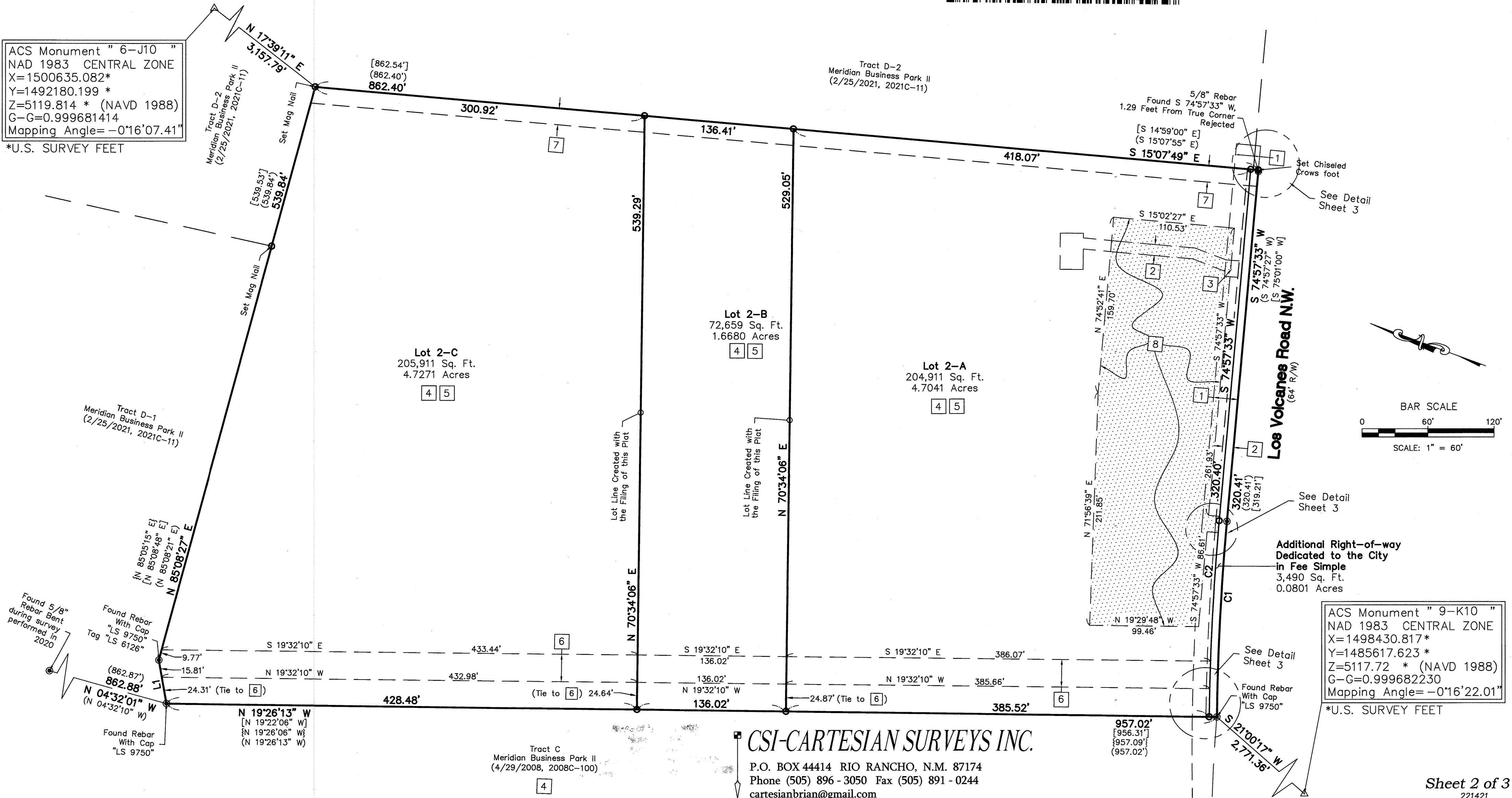
N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES PER PLAT (02/25/2021, 2021C-11, DOC. NO. 2021022781)
{N 90°00'00" E}	RECORD BEARINGS AND DISTANCES PER PLAT (04/29/2008, 2008C-100, DOC. NO. 2008047900)
[N 90°00'00" E]	RECORD BEARINGS AND DISTANCES PER PLAT (09/12/1973, D5-181)
●	FOUND MONUMENT AS INDICATED
○	SET 1/2" REBAR WITH CAP "LS 14271" UNLESS OTHERWISE NOTED

**Plat for
Lots 2-A, 2-B, and 2-C, Tract S-1
Atrisco Business Park, Unit 2
Being Comprised of
Lot 2, Tract S-1,
Atrisco Business Park, Unit 2
City of Albuquerque
Bernalillo County, New Mexico
March 2022**

DOCH 2023052706

08/17/2023 11:33 AM Page: 2 of 3
PLAT R: \$25.00 B: 2023C P: 0068 Linda Stover, Bernalillo County

ACS Monument "6-J10"
NAD 1983 CENTRAL ZONE
X=1500635.082*
Y=1492180.199*
Z=51119.814* (NAVD 1988)
G-G=0.999681414
Mapping Angle=-0°16'07.41"
*U.S. SURVEY FEET



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cartesianbrian@gmail.com

Line Table		
Line #	Direction	Length (ft)
L1	N 59°54'31" E [N 60°00'00" E] {N 59°57'49" E} (N 59°54'25" E)	40.12' [40.20'] {40.18'} (40.11')
L2	S 15°06'09" E	10.06'
L3	N 15°06'09" W	10.08'
L4	N 74°57'33" E	4.08'

ABCWUA Public Water & Sanitary Sewer Easements

ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY (ABCWUA) IS GRANTED EASEMENT(S) AND/OR USE OF PUBLIC RIGHT-OF-WAY IN THE DIMENSIONS NOTED ON THIS PLAT FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR, MODIFICATION, REPLACEMENT AND OPERATION OF PUBLIC WATER AND SANITARY SERVICE LINES, EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE SERVICE TOGETHER WITH FREE ACCESS ON AND OVER THE EASEMENT AND/OR PUBLIC RIGHT-OF-WAY AND THE RIGHT TO REMOVE TREES, SHRUBS, UNDERGROWTH AND ANY OTHER OBSTACLES, MODIFICATIONS, OR STRUCTURES WHICH INTERFERE WITH THE OPERATION OF PUBLIC WATER AND/OR PUBLIC SANITARY SEWER INFRASTRUCTURE.

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	177.84' (177.85') [177.85']	2323.83' (2323.83') [2323.83']	4°23'05"	177.79'	S 72°46'00" W
C2	178.37'	2330.83'	4°23'05"	178.33'	S 72°46'00" W
C3	25.54'	2330.83'	0°37'40"	25.54'	N 70°53'18" E
C4	25.00'	2330.83'	0°36'53"	25.00'	S 71°30'34" W
C6	10.92'	2330.83'	0°16'07"	10.92'	S 74°49'29" W

* C5 Intentionally Omitted

Free Consent and Dedication

THE SUBDIVISION SHOWN AND DESCRIBED HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF. EXISTING AND/OR GRANTED PUBLIC UTILITY EASEMENTS (P.U.E) AS SHOWN HEREON, UNLESS NOTED OTHERWISE, ARE FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUIT AND PIPES FOR UNDERGROUND UTILITIES. SAID UTILITY COMPANIES HAVE THE RIGHT OF INGRESS/EGRESS FOR CONSTRUCTION OF, MAINTENANCE OF AND REPLACEMENT OF SAID UTILITIES INCLUDING THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS WITHIN SAID P.U.E.. SAID OWNERS CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED.

SAID OWNERS DO HEREBY DEDICATE ADDITIONAL PUBLIC RIGHT OF WAY AS SHOWN HEREON IN LOS VOLCANES ROAD N.W. TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE.

Gerald Lucero **5.5.23**
 GERALD LUCERO, MANAGER, GDCLV, LLC DATE

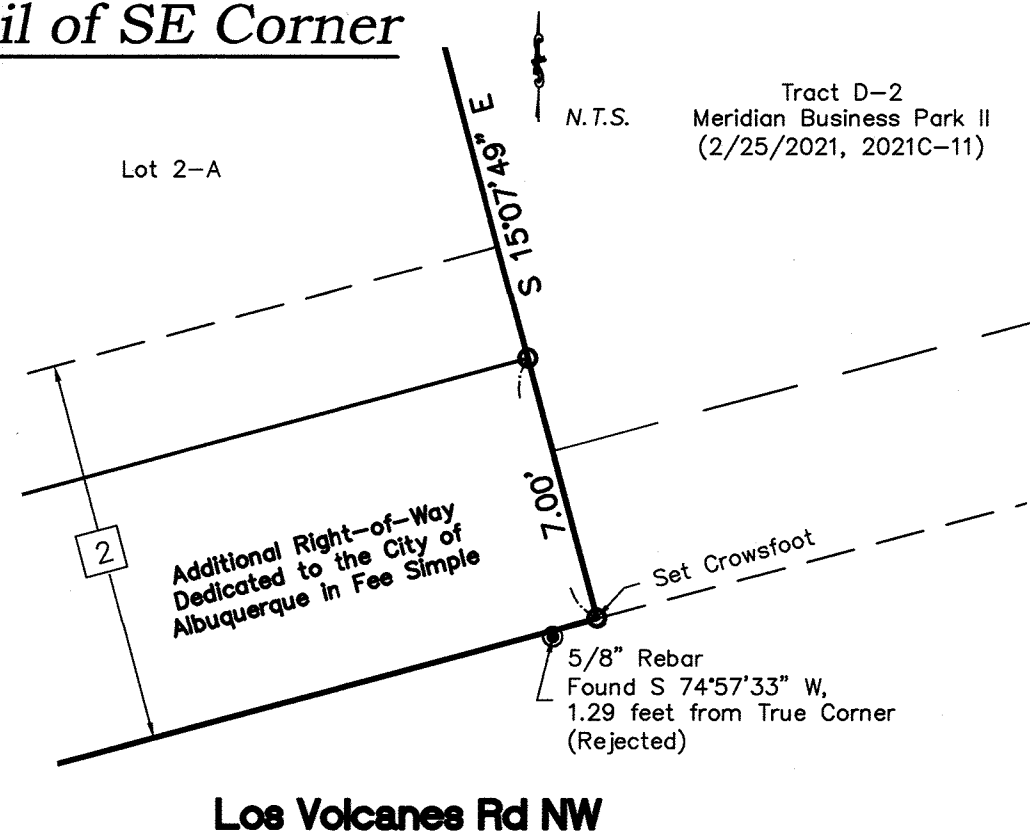
STATE OF NEW MEXICO }
 COUNTY OF } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON **May 5, 2023**
 BY: GERALD LUCERO, MANAGER, GDCLV, LLC

By: *Dolly Ryzner* *Sally Rizzieri*
 NOTARY PUBLIC
 MY COMMISSION EXPIRES **08/20/2025**

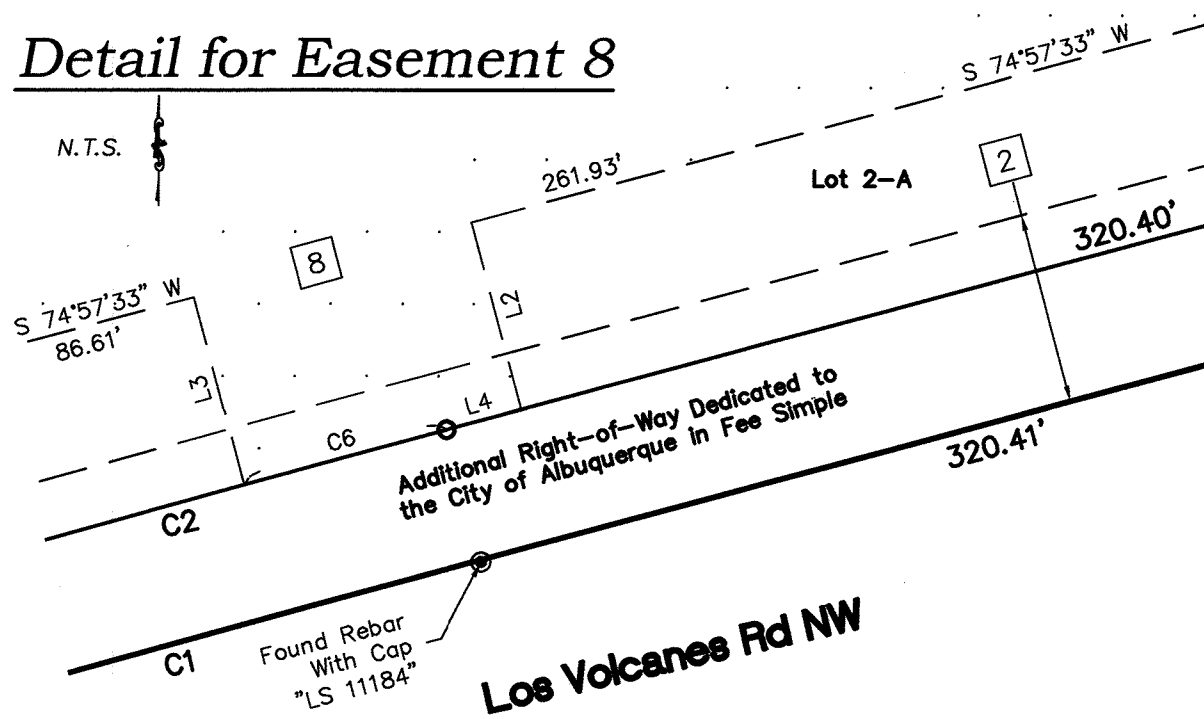
State of New Mexico
 Notary Public
 Sally Rizzieri
 Commission Number 1102855
 Commission Expires August 30, 2025

Detail of SE Corner

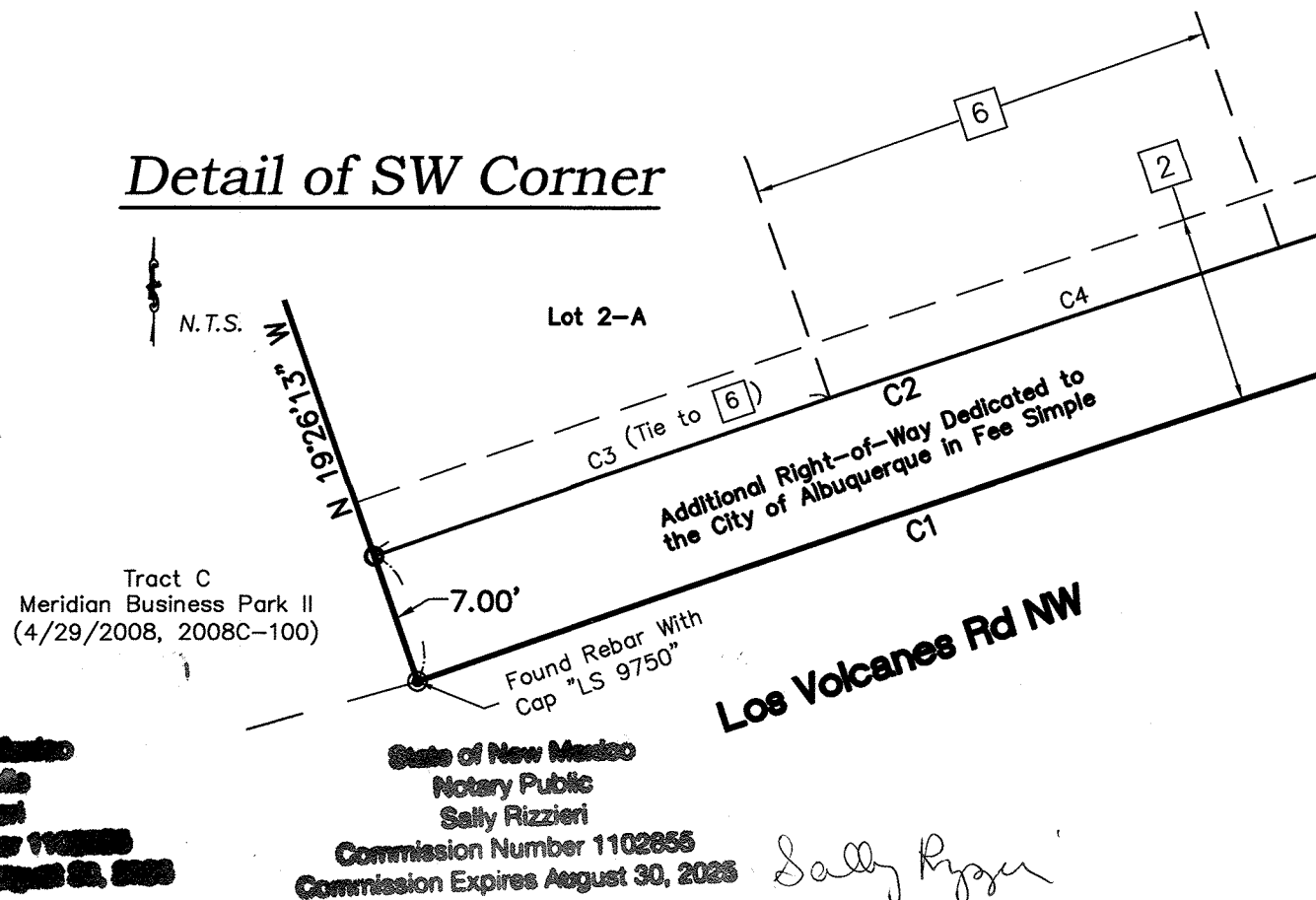


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 09/17/2023 11:33 AM Page: 3 of 3
 PLAT R: \$25.00 B: 2023C P: 0068 Linda Stover, Bernalillo County

Detail for Easement 8



Detail of SW Corner



Plat for Lots 2-A, 2-B, and 2-C, Tract S-1 Atrisco Business Park, Unit 2 Being Comprised of Lot 2, Tract S-1, Atrisco Business Park, Unit 2 City of Albuquerque Bernalillo County, New Mexico March 2022

Public Utility Easements

PUBLIC UTILITY EASEMENTS shown on this plat are granted for the common and joint use of:

- A. Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.
- B. New Mexico Gas Company for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.
- C. Qwest Corporation d/b/a CenturyLink QC for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.
- D. Cable TV for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to customers of Grantee, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat. Easements for electric transformer/switchgears, as installed, shall extend ten (10) feet in front of transformer/switchgear doors and five (5) feet on each side.

Disclaimer

In approving this plat, Public Service Company of New Mexico (PNM) and New Mexico Gas Company (NMGC) did not conduct a Title Search of the properties shown hereon. Consequently, PNM and NMGC do not waive or release any easement or easement rights which may have been granted by prior plat, replat or other document and which are not shown on this plat.

Drainage Easement Language for Subdivision Plat

AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "DRAINAGE EASEMENTS" ARE HEREBY DEDICATED BY THE OWNER AS A PERPETUAL EASEMENT FOR THE COMMON USE AND BENEFIT OF THE VARIOUS LOTS WITHIN THE SUBDIVISIONS FOR THE PURPOSE OF PERMITTING THE CONVEYANCE OF STORM WATER RUNOFF AND THE CONSTRUCTING AND MAINTAINING OF DRAINAGE FACILITIES IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF ALBUQUERQUE. GRANTOR SHALL CONSTRUCT DRAINAGE FACILITIES IN THE EASEMENT IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY ENGINEER IN ACCORDANCE WITH THE DRAINAGE REPORT WITH ENGINEER'S STAMP DATE 02/21/2023 AND THE GRADING AND DRAINAGE PLAN WITH ENGINEER'S STAMP DATE 02/21/2023 WHICH REPORT AND PLANS ARE ON FILE IN THE OFFICE OF THE CITY ENGINEER FILE #110D027. NO FENCE, WALL, PLANTING, BUILDING OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN EASEMENT AREA WITHOUT APPROVAL OF THE CITY ENGINEER OF THE CITY OF ALBUQUERQUE. THERE ALSO SHALL BE NO ALTERATION OF THE GRADES OR CONTOURS IN SAID EASEMENT AREA WITHOUT THE APPROVAL OF THE CITY ENGINEER. IT SHALL BE THE DUTY OF THE LOT OWNERS OF THIS SUBDIVISION TO MAINTAIN SAID DRAINAGE EASEMENT AND FACILITIES AT THEIR COST IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF ALBUQUERQUE. THE CITY SHALL HAVE THE RIGHT TO ENTER PERIODICALLY TO INSPECT THE FACILITIES. IN THE EVENT SAID LOT OWNERS FAIL TO ADEQUATELY AND PROPERLY MAINTAIN DRAINAGE EASEMENT AND FACILITIES, AT ANY TIME FOLLOWING FIFTEEN (15) DAYS WRITTEN NOTICE TO SAID LOT OWNERS, THE CITY MAY ENTER UPON SAID AREA, PERFORM SAID MAINTENANCE, AND THE COST OF PERFORMING SAID MAINTENANCE SHALL BE PAID BY APPLICABLE LOT OWNERS PROPORTIONATELY ON THE BASIS OF LOT OWNERSHIP. IN THE EVENT LOT OWNERS FAIL TO PAY THE COST OF MAINTENANCE WITHIN THIRTY (30) DAYS AFTER DEMAND FOR PAYMENT MADE BY THE CITY, THE CITY MAY FILE A LIEN AGAINST ALL LOTS IN THE SUBDIVISION FOR WHICH PROPORTIONATE PAYMENT HAS NOT BEEN MADE. THE OBLIGATIONS IMPOSED HEREIN SHALL BE BINDING UPON THE OWNER, HIS HEIRS, AND ASSIGNS AND SHALL RUN WITH ALL LOTS WITHIN THIS SUBDIVISION. THE GRANTOR AGREES TO DEFEND, INDEMNIFY, AND HOLD HARMLESS, THE CITY, ITS OFFICIALS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, ACTIONS, SUITS, OR PROCEEDINGS OF ANY KIND BROUGHT AGAINST SAID PARTIES FOR OR ON ACCOUNT OF ANY MATTER ARISING FROM THE DRAINAGE FACILITY PROVIDED FOR HEREIN OR THE GRANTOR'S FAILURE TO CONSTRUCT, MAINTAIN, OR MODIFY SAID DRAINAGE FACILITY.

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